

IN the United States Federal
district Court for middle
district montgomery AL.
36/30

RECEIVED

2006 AUG 16 A 9:39

JAMES H. HANRETT, CLK
U.S. DISTRICT COURT
MIDDLE DISTRICT ALA

LONNIE CAMMON #238498

Plaintiff

VS

DOCTOR SEDNET and
PRISON HEALTH SERVICES

Defendants

CIVIL Action No #
2:06 CV-674-WKW

Affidavit and motion of
Plaintiff to Strike Defendants
motion to Dismiss FRAP Rule
56(c) At FRAP Rule 36

I.

- 1) The Plaintiff is over the age of Twenty-one, And is competent to testify to matters stated here in
- 2) AS AND ANSWER to Defendants motion of August 11, 2006, where defendants seek's a more definite state
- 3) The Plaintiff Alleged That Doctor SEDNET at Bullock Prison, was Deliberate Indifferent to Plaintiff medical needs, for 429 U.S. At 106

- 4) The Defendants Received A Copy of the 42 U.S.C. 1983 filed At 111 S.Ct. 2326 & 2327 the Defendant's Is Aware That Bullock Prison (PMS) Prison Medical Service, Is A Person Within The Meaning of Monell vs. N.Y. City Social Services 436 U.S. — [1] Goodson v. City of Atlanta, 763 F.2d 1381 11th Cir 1985)
- 5) The Plaintiff Affidavit Here In On Personal Knowledge (FRCP) Rule 56(c) Admits, that (PMS) Has openly Denied Plaintiff, Proper Medical Care, and Same Violated 429 U.S. At 106 Citing Smith v. Jenkins 919 F.2d 90-93 (8th Circuit 1990)
- 6) Personal Knowledge By Plaintiff: Claim of Deliberate Indifference Stated By Actions that PMS & Doctor Sedret Deviated From Professional Treatment (1990 Citing Jackson v. Duckworth 955 F.2d 21-22 (7th Cir. 1992)

7) Rising to the Level
of Eight Amendment Claims
The Plaintiff Invokes, Both The
Objective and the Subjective
Component, of (frop) Rule 56(c)
... In which the Act and Practice
By the Defendant Is Prohibited
or ... Is the Intent ... to
Deny Proper medical care
Violated 935 f.2d 21-22
429 U.S. At 106

8) In which the Total Defendant
must Have Acted with
Obduracy for Ill S.Ct. 2326
2327 Citing LUGAR v. S Edmond-
son Oil Co. 457 U.S. 922 At 937
where Defendants must be
Classified as State Actors,

9) when the Acts In ... BAD
FAITH MANNER, to Deny
Any Inmate of Proper medical
care.

10) Defendant's motion to Dismiss must Be Denied, BECause On The face of Eightment Amendment Claim, the Plaintiff (PRP) at 8(2)(2) contends, By Defendants own Admissions, from Eastland to Bullock, All Previous Medical Help Has Been Denied Plaintiff;

Certificate of Service

I, Donnie Cannon, 238498
did Here By Address
the Defendants motion with
more Definite Statement AS
Requested, Fed Rules Evidence
Rule 201

Done this August 12th, 2006
Placing Same In office
of United States Clerk
P.O. Box 711, Montgomery, AL
36130

Preamble:
PRP 23(2):

s/ Donnie Cannon
#238498, P.O. Box 5107
Union Springs, AL 36089